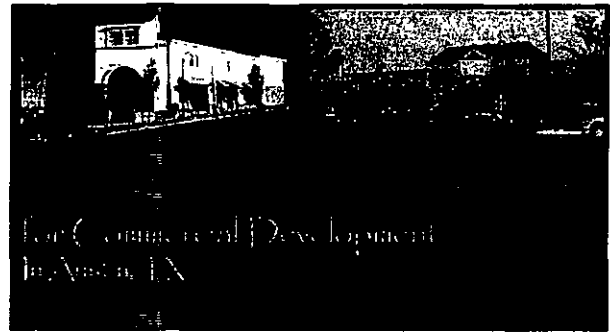


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## New Commercial Design and Mixed-Use Standards and Downtown August 2006



### GENERAL PROJECT OVERVIEW

A Task Force has been working since 2004 to develop new standards for commercial and mixed-use development in Austin that will foster a built environment of aesthetic and sustainable value, enhance economic development, promote Austin's unique character, and protect the natural environment. The new standards are intended to raise the level of quality of new development, but within a regulatory structure offering options and flexibility, not strict requirements.

The City Council passed the new standards on first reading on August 8, 2006. Second reading is scheduled for August 31, 2006. A complete draft of the new standards is available on the city's website at [http://www.ci.austin.tx.us/development/commercial\\_design.htm](http://www.ci.austin.tx.us/development/commercial_design.htm).

### KEY ISSUE: DOWNTOWN

How is downtown Austin affected by the new standards? Generally, the standards apply in the downtown just as they apply elsewhere in the city. Most downtown roads are considered "urban roadways" for purposes of the new ordinance.

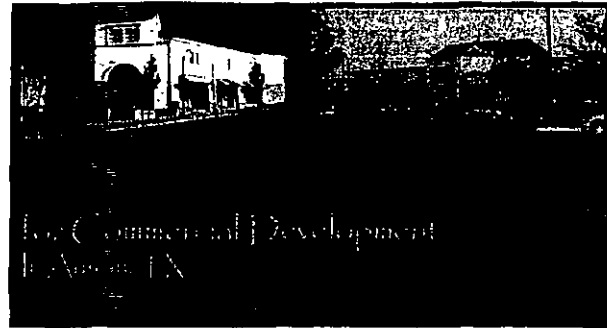
A few provisions specifically address downtown issues:

- *Exemption for Downtown Sidewalks:* A main goal of the new standards is to establish uniform sidewalk and building placement standards for key roads throughout the city. However, these issues already have been addressed for downtown Austin as part of the Great Streets Development Program. Therefore, the new standards exempt development on all streets in the downtown area from the new sidewalk and supplemental zone standards of Section 2.2. Instead, such development is encouraged to comply with the sidewalk standards of the Great Streets Development Program (which are optional, not mandatory). The intent of this exemption is to respect the time and effort the city and downtown property and business owners already have invested in the Great Streets program. Development on all streets in the downtown area is subject to all other applicable provisions of the new ordinance except the sidewalk and supplemental zone standards. See Section 1.2.3.C.
- *Exemption for Projects Completed Pursuant to the Forthcoming Downtown Plan:* The new ordinance specifically exempts development built pursuant to an adopted downtown plan. This is similar to exemptions provided for other areas (like transit stations and Mueller) where specially negotiated, area-specific development standards either have been or will soon be developed. There currently is no downtown plan and no downtown-specific design standards, and so this exemption would not apply to any current project. However, an RFQ process has begun to select a consultant to develop a new downtown plan and appropriate implementation mechanisms (such as design standards) over the next 18 months. See Section 1.2.3.A.6.
- *Exterior Lighting of Tall Buildings:* Generally, the new ordinance requires buildings and structures to be illuminated by light fixtures that are both fully shielded and full cut-off.

However, this provision does not apply to buildings in the downtown that are at least 120 feet tall, so long as such buildings contain no trademarked design features (not including signage) located over 120 feet above ground level. See Section 2.5.2.C.

- *Mixed Use Buildings Other than VMU:* The ordinance establishes a new type of building called "vertical mixed-use" (VMU), in which residential uses are combined with commercial or office uses. To be eligible for certain development bonuses (such as increased density), VMU buildings must meet certain requirements, such providing a certain amount of affordable units. In the downtown, however, existing zoning allows a mixing of uses in the same building already. The ordinance provides that, if a building that otherwise meets the standards for VMU buildings may be developed using the site development standards of the underlying zoning category, and without the use of the dimensional standard waivers or parking reductions of Section 4.3.3.E., then that building need not comply with the standards (including affordability) that otherwise apply to VMU buildings. See Section 4.3.3.G.

# New Commercial Design and Mixed-Use Standards and Hill Country Roadways August 2006



## GENERAL PROJECT OVERVIEW

A Task Force has been working since 2004 to develop new standards for commercial and mixed-use development in Austin that will foster a built environment of aesthetic and sustainable value, enhance economic development, promote Austin's unique character, and protect the natural environment. The new standards are intended to raise the level of quality of new development, but within a regulatory structure offering options and flexibility, not strict requirements.

The City Council passed the new standards on first reading on August 8, 2006. Second reading is scheduled for August 31, 2006. A complete draft of the new standards is available on the city's website at [http://www.ci.austin.tx.us/development/commercial\\_design.htm](http://www.ci.austin.tx.us/development/commercial_design.htm).

## KEY ISSUE: HILL COUNTRY ROADWAYS

How are Hill Country Roadways affected by the new standards? Austin's citizens and officials already have invested a great amount of time and energy in developing tailored standards for the Hill Country Roadways. Generally, the new commercial design and mixed-use ordinance respects those past efforts by specifically providing that, in case of conflict between the new ordinance and certain existing HCR standards, the existing HCR standards shall control. These standards include:

- Section 25-2-1023 (Roadway Vegetative Buffer);
- Section 25-2-1025 (Natural Area);
- Section 25-2-1027 (Visual Screening);
- Section 25-2-1121 (Intensity Zones);
- Section 25-2-1122 (Floor-to-Area Ratio of a Nonresidential Building);
- Section 25-2-1123 (Construction on Slopes);
- Section 25-2-1124 (Building Height); and
- Section 25-2-1126 (Building Materials).

In addition, where the Design Standards do not address a specific issue or standard the existing Hill Country Roadway standards will continue to apply.

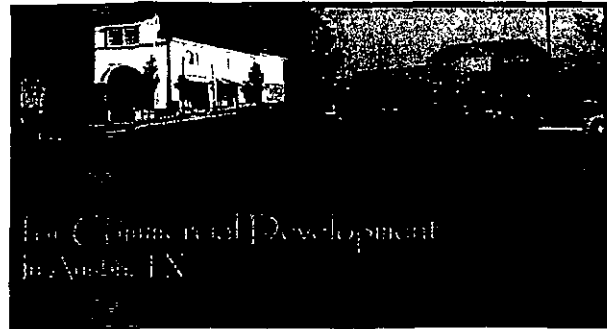
A major area of emphasis in the new commercial design and mixed-use ordinance is the creation of new sidewalks and building placement standards along many roads in order to create a more pedestrian-friendly environment. **However, there are NO sidewalk or building placement standards being proposed for the Hill Country Roadways.**

There are a few new provisions in the new commercial design and mixed-use ordinance that will apply on the Hill Country Roadways. These include:

- **Building Entryways:** In non-residential zoning districts, buildings must have prominent entryways that face the street. See Section 2.2.6.
- **Connectivity:** An internal circulation system is required on development sites of five acres or more. See Section 2.3.1.

- *Various Site Design Requirements:* Most non-residential development on the Hill Country Roadways will be required to comply with new site design requirements in the areas of exterior lighting, screening of equipment and utilities, private common open space and pedestrian amenities. See Sections 2.5 through 2.7 for additional details.
- *Building Design Requirements:* The development of commercial or civic uses along Hill Country Roadways will have to comply with the pedestrian frontage requirements of Section 3.2. In addition, commercial buildings of 10,000 square feet or more that require a building permit (and smaller commercial buildings with exterior trademarked design features) will be required to comply with a menu of options intended to improve building design. See Section 3.3.
- *Vertical Mixed Use:* Along the Hill Country Roadways, VMU buildings will be allowed on any sites in the MU combining district (subject to a neighborhood opt-in/opt-out process), on any sites of three acres or more if approved by conditional use, and on any other properties that opt in to the VMU program pursuant to a process established in the new ordinance. See Section 4.3.

# **New Commercial Design and Mixed-Use Standards and Small Lots August 2006**



## **GENERAL PROJECT OVERVIEW**

A Task Force has been working since 2004 to develop new standards for commercial and mixed-use development in Austin that will foster a built environment of aesthetic and sustainable value, enhance economic development, promote Austin's unique character, and protect the natural environment. The new standards are intended to raise the level of quality of new development, but within a regulatory structure offering options and flexibility, not one-size-fits-all strict requirements.

The City Council passed the new standards on first reading on August 8, 2006. Second reading is scheduled for August 31, 2006. A complete draft of the new standards is available on the city's website at [http://www.ci.austin.tx.us/development/commercial\\_design.htm](http://www.ci.austin.tx.us/development/commercial_design.htm).

To encourage a more pedestrian-friendly environment along key roads like Lamar Boulevard, the standards require wide sidewalks with street trees, and require buildings to be built up to the street. Parking generally has to be located to the side or rear of new buildings.

## **KEY ISSUE: SMALL LOTS**

### **OVERVIEW OF SMALL LOT ISSUES AND FINDINGS**

1. The Design Standards ordinance presented at first reading included a number of provisions that provide flexibility for small lots (See page 5 of this document).
2. Based on staff analysis of small lots it appears that, with two exceptions, most small lots can comply with the Design Standards without alternative equivalent compliance.
3. Two scenarios were identified where the Design Standards may make small lot development unduly difficult without alternative compliance. These include: a) narrow lots (less than 65' wide) on Core Transit Corridors without rear alley access; and, b) shallow lots (less than 150' deep) on Core Transit Corridors with overhead utilities.
4. Based on this staff has included two additional provisions in the second reading Design Standards ordinance. These would: a) provide an exemption from the building placement requirements for narrow lots (65' wide or less) on a Core Transit Corridor without rear alley access; and b) allow the use of alternative "utility compatible street trees" on shallow sites on a Core Transit Corridor.

Additional background and detail on the staff analysis is provided below.

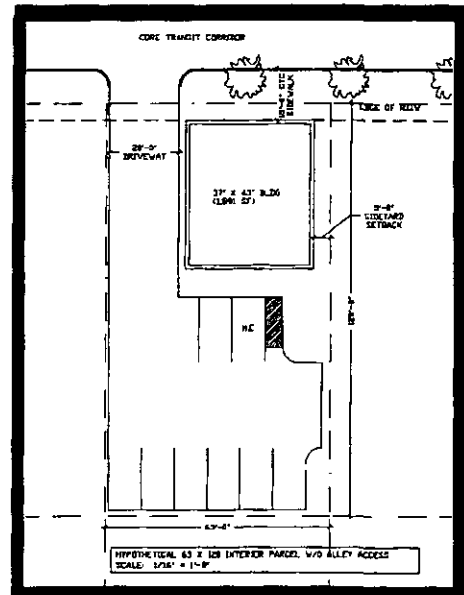
## BACKGROUND AND ANALYSIS

Concerns have been raised over the potential impact of the Design Standards on small lots. To assess this city staff tested the proposed standards on a number of small lots to ensure the standards are practicable on sites with a wide range of physical characteristics.

While development on small lots is possible and encouraged under the new standards, some modifications from traditional suburban-style design will be required.

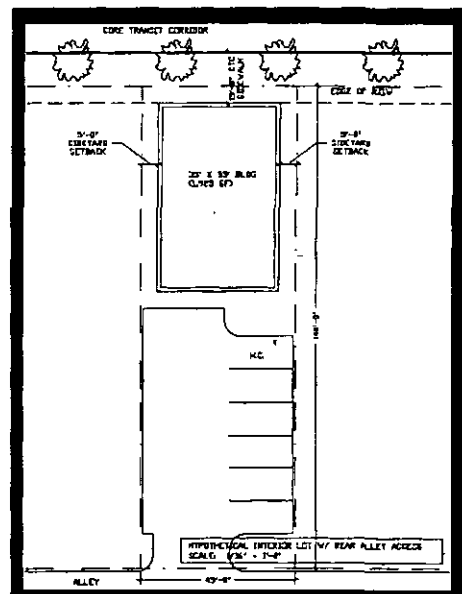
The site plan at the right (Example 1) shows development on an interior lot (sized 65' by 120') located on a Core Transit Corridor. The proposed development meets the required site development standards of the base district zoning as modified by the Design Standards. Since this lot is located along a Core Transit Corridor, a 15-foot sidewalk is required under the new standards, comprised of an eight-foot street tree/furniture zone and a seven-foot clear zone, and the building is brought up to the sidewalk. Because there is no rear alley, vehicle access is from the Core Transit Corridor by way of a driveway, and all parking is located behind the building.

Example 1



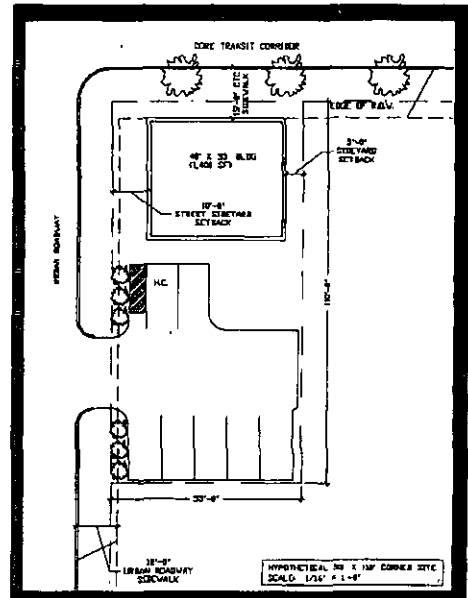
Example 2 shows a small interior lot (sized 45' by 140') located on a Core Transit Corridor, but with an alley that allows automobile access from the rear. The rear access allows more of the building to be brought to the front of the site than in the prior example.

Example 2



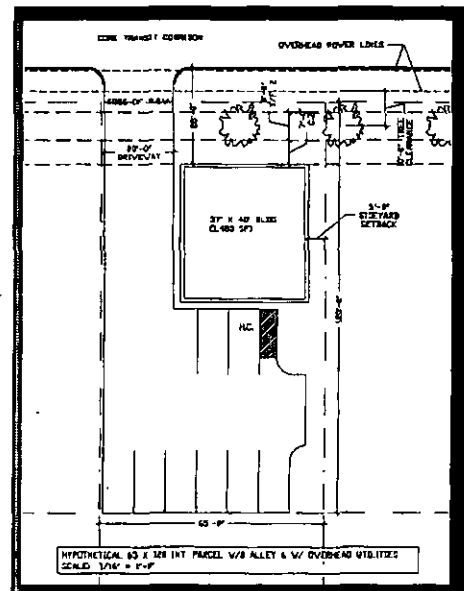
Example 3 shows small-lot development on a corner site (sized 55' by 110' at the intersection of a Core Transit Corridor and an Urban Roadway). Parking is allowed within 100 feet of the corner because it is screened from the street by a landscape buffer, and 100 percent of the net frontage length along the core transit corridor consists of continuous building façade. Examples 1-3 assume that overhead utilities are buried.

Example 3



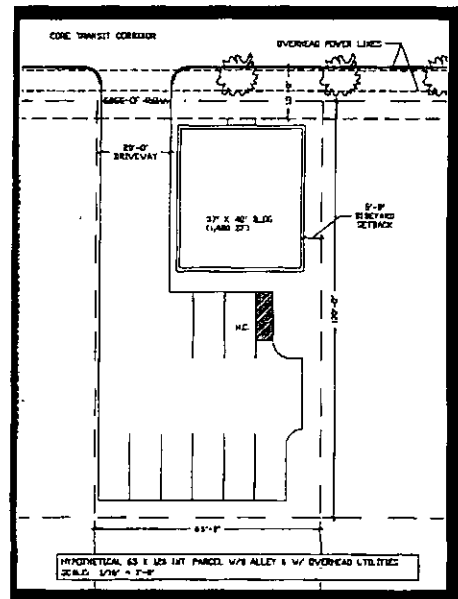
Example 4 illustrates a site the same size and shape as shown as in Example 1 above, but where overhead utilities remain alongside the street. The street trees are required to be planted at a location where they will not interfere with the overhead power lines, and the standards require that a 15' sidewalk be built alongside the trees. This combination of requirements push the building farther back from the Core Transit Corridor than would otherwise be the case – in this case 28 feet back.

While this example illustrates that compliance is feasible under this scenario there is also some concern that on a shallow lot that does not have rear alley access this set of circumstances might unduly restrict development. For that reason, the standards allow the use of trees that are smaller than standard street trees and can grow underneath the power lines without interfering with the lines.



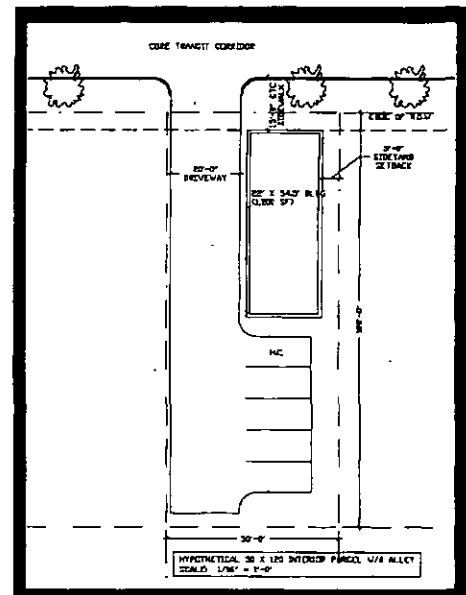
Example 4

Example 5 illustrates the use of the alternative "utility compatible street trees" on shallow sites. This allows a building location almost identical to that shown in Example 1, except that the building must be pulled slightly away from the street in order to maintain adequate clearance with the power lines. The building is connected to the sidewalk by means of a walkway.



Example 5

Examples 1-5 illustrate that compliance with the design standards is achievable on most small lots without alternative compliance. However, in one case staff did identify a small lot configuration that could be problematic. Example 6 shows a small interior lot (50' by 120') without alley access. Because this site is very narrow and a driveway must be built to connect the rear parking to the street, strict compliance with the Design Standards could result in a long, narrow building configuration that does not function economically or practically.



Example 6

In response to the potentially problematic situation illustrated in Example 6, a new provision (Section 1.2.3.D) has been added to the second reading draft. This provision exempts (from the building location requirements of Sections 2.2.2 and 2.2.3) development on interior sites with 65 feet or less of frontage on the principal street and with vehicular access only from the principal street.



## **PROVISIONS OF THE DESIGN STANDARDS ORDINANCE FOR SMALL LOTS (FIRST READING DRAFT)**

The draft ordinance already includes a number of provisions to accommodate development on smaller lots. These include the following:

- **Shallow lots exemption:** On lots located on a core transit corridor with a depth of 150 feet or less, the total sidewalk may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone. (See Section 2.2.2.B.4.)
- **Smaller buildings not subject to building design options:** Buildings for commercial uses that are smaller than 10,000 square feet and that do not contain any exterior trademarked design feature are exempt from the menu of building design options. (See Section 3.3.)
- **Minor modifications:** The city staff may approve a "minor modification" from otherwise applicable standards in order to protect natural or historic features or to address unusual site conditions. In other communities, such a procedure has been especially helpful in addressing small-lot issues – for example, allowing a small encroachment into a side setback. (See Section 1.4.)
- **Alternative Equivalent Compliance:** Where site conditions or the proposed use prevent strict compliance with the Design Standards Alternative Compliance allows development to occur in a manner that meets the intent of the standards but does not strictly adhere to the standards. (See Section 1.5.)
- **High general threshold for redevelopment projects:** The new standards apply to all new construction and certain redevelopment projects. However, the threshold for redevelopment projects has been set relatively high, meaning that business owners often will be able to make substantial investments in redeveloping their property without having to come up into compliance with the new standards. This could be particularly beneficial to owners of businesses with relatively small lots. Specifically, the threshold for redevelopment projects is any project that increases the site's impervious cover by 25 percent or more; or, for sites of less than one acre, those that generate 1,000 vehicle trips or more per day above the estimated trip level on the effective date of the new ordinance. (See Section 1.2.2.)

## **NEW PROVISIONS OF THE DESIGN STANDARDS ORDINANCE FOR SMALL LOTS ADDED TO SECOND READING ORDINANCE**

- **Exempt (from the building location requirements of Sections 2.2.2 and 2.2.3) development on interior sites with 65 feet or less of frontage on the principal street and with vehicular access only from the principal street.**
- **Allow the use of alternative "utility compatible street trees" on shallow sites.**